



National Consumer Credit Protection (Fees) Amendment (Registries Modernisation) Act 2020

No. 68, 2020

Compilation No. 1

Compilation date:	21 June 2022
Includes amendments up to:	Act No. 35, 2022
Registered:	22 August 2022

Prepared by the Office of Parliamentary Counsel, Canberra

About this compilation

This compilation

This is a compilation of the *National Consumer Credit Protection (Fees) Amendment (Registries Modernisation) Act 2020* that shows the text of the law as amended and in force on 21 June 2022 (the **compilation date**).

The notes at the end of this compilation (the **endnotes**) include information about amending laws and the amendment history of provisions of the compiled law.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register (www.legislation.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Editorial changes

For more information about any editorial changes made in this compilation, see the endnotes.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on the Legislation Register for the compiled law.

Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

Contents

1	Short title.....	1
2	Commencement.....	1
3	Schedules.....	2
Schedule 1—Amendments		3
	<i>National Consumer Credit Protection (Fees) Act 2009</i>	3
Endnotes		5
	Endnote 1—About the endnotes	5
	Endnote 2—Abbreviation key	7
	Endnote 3—Legislation history	8
	Endnote 4—Amendment history	9

An Act to amend the *National Consumer Credit Protection (Fees) Act 2009*, and for related purposes

1 Short title

This Act is the *National Consumer Credit Protection (Fees) Amendment (Registries Modernisation) Act 2020*.

2 Commencement

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day this Act receives the Royal Assent.	22 June 2020
2. Schedule 1	A day or days to be fixed by Proclamation. However, if any of the provisions do not commence before 1 July 2026, they commence on that day.	

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

National Consumer Credit Protection (Fees) Amendment (Registries Modernisation) Act 2020 1

Compilation No. 1

Compilation date: 21/06/2022

Registered: 22/08/2022

3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendments

National Consumer Credit Protection (Fees) Act 2009

1 Subsection 4(1) (paragraph (b) of the definition of *chargeable matter*)

After “maintained”, insert “by ASIC”.

2 Subsection 4(1) (after paragraph (b) of the definition of *chargeable matter*)

Insert:

(ba) the inclusion of information in a record maintained by the Registrar under either of those Acts;

3 Subsection 4(1) (after paragraph (c) of the definition of *chargeable matter*)

Insert:

(ca) the inspection or search of a record maintained or information held by the Registrar under either of those Acts;

4 Subsection 4(1) (paragraph (d) of the definition of *chargeable matter*)

After “ASIC”, insert “or the Registrar”.

5 Subsection 4(1) (after paragraph (e) of the definition of *chargeable matter*)

Insert:

(ea) the production by the Registrar, under a subpoena, of a record maintained or information held by the Registrar for the purposes of either of those Acts;

6 Subsection 4(1) (paragraph (f) of the definition of *chargeable matter*)

Omit “or ASIC”, substitute “, ASIC or the Registrar”.

7 Subsection 4(1) (paragraph (g) of the definition of chargeable matter)

Omit “or ASIC”, substitute “ASIC or the Registrar”.

8 After paragraph 9(b)

Insert:

- (ba) for a chargeable matter referred to in paragraph (ba) of that definition:
 - (i) person liable—the person who requests inclusion of the information in the record, or if there is no request, the person who provides the information; and
 - (ii) time liability incurred—when the request for inclusion of the information in the record is made, or if there is no request, when the information is provided;

9 Paragraph 9(c)

After “paragraph (c)”, insert “or (ca)”.

10 Paragraph 9(e)

After “paragraph (e)”, insert “or (ea)”.

11 At the end of subparagraph 9(e)(ii)

Add “or the Registrar”.

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

Abbreviation key—Endnote 2

The abbreviation key sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

Editorial changes

The *Legislation Act 2003* authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

Endnotes

Endnote 1—About the endnotes

Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe how an amendment is to be made. If, despite the misdescription, the amendment can be given effect as intended, then the misdescribed amendment can be incorporated through an editorial change made under section 15V of the *Legislation Act 2003*.

If a misdescribed amendment cannot be given effect as intended, the amendment is not incorporated and “(md not incorp)” is added to the amendment history.

Endnote 2—Abbreviation key

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ad = added or inserted	o = order(s)
am = amended	Ord = Ordinance
amdt = amendment	orig = original
c = clause(s)	par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)
C[x] = Compilation No. x	pres = present
Ch = Chapter(s)	prev = previous
def = definition(s)	(prev...) = previously
Dict = Dictionary	Pt = Part(s)
disallowed = disallowed by Parliament	r = regulation(s)/rule(s)
Div = Division(s)	reloc = relocated
ed = editorial change	renum = renumbered
exp = expires/expired or ceases/ceased to have effect	rep = repealed
F = Federal Register of Legislation	rs = repealed and substituted
gaz = gazette	s = section(s)/subsection(s)
LA = <i>Legislation Act 2003</i>	Sch = Schedule(s)
LIA = <i>Legislative Instruments Act 2003</i>	Sdiv = Subdivision(s)
(md) = misdescribed amendment can be given effect	SLI = Select Legislative Instrument
(md not incorp) = misdescribed amendment cannot be given effect	SR = Statutory Rules
mod = modified/modification	Sub-Ch = Sub-Chapter(s)
No. = Number(s)	SubPt = Subpart(s)
	<u>underlining</u> = whole or part not commenced or to be commenced

Endnotes

Endnote 3—Legislation history

Endnote 3—Legislation history

Act	Number and year	Assent	Commencement	Application, saving and transitional provisions
National Consumer Credit Protection (Fees) Amendment (Registries Modernisation) Act 2020	68, 2020	22 June 2020	Sch 1: <u>awaiting commencement (s 2(1) item 2)</u> Remainder: 22 June 2020 (s 2(1) item 1)	
Treasury Laws Amendment (2022 Measures No. 1) Act 2022	35, 2022	9 Aug 2022	Sch 4 (Pt 1, item 4): 21 June 2022 (s 2(1) item 5)	—

Endnote 4—Amendment history

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Provision affected	How affected
s 2	am No 35, 2022

*National Consumer Credit Protection (Fees) Amendment (Registries
Modernisation) Act 2020* 9

Compilation No. 1

Compilation date: 21/06/2022

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